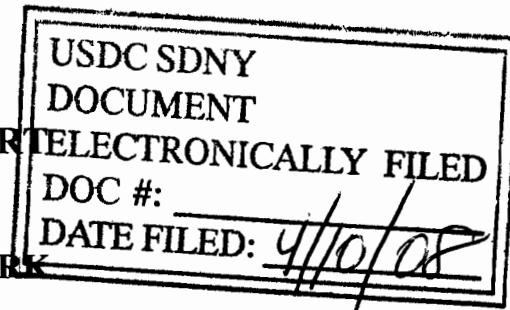


PS 8  
(8/88)

**UNITED STATES DISTRICT COURT**  
**for the**  
**SOUTHERN DISTRICT OF NEW YORK**



U.S.A. vs. VALLE, Yaritza

Docket No. 07-CR-1065

**Petition for Action on Conditions of Pretrial Release**

COMES NOW Jason G. Lerman, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant VALLE, Yaritza, who, having been charged with Conspiracy To Commit Marriage Fraud, was placed under pretrial release supervision by the Honorable Kevin Nathaniel Fox sitting in the Court at SDNY-500 PEARL ST., on 10/24/07, under the following conditions:

\$10,000 PRB, co-signed by two financially responsible people; travel restricted to the Southern/Eastern Districts of New York; strict PSA Supervision to include drug testing; surrender all travel documents and make no new applications. On 11/26/07, the defendant was indicted and the case has been assigned to Your Honor for all purposes. On 2/27/08, the defendant appeared before Your Honor and entered a guilty plea to Counts 1 and 2 of the indictment. Sentencing has been scheduled for 6/6/08.

On 11/8/07, Pretrial Services sent a memorandum to the Honorable Kevin Nathaniel Fox regarding the defendant's non-compliant behavior (failure to report to Pretrial Services as directed and Pretrial Services' difficulties in contacting her). At that time, Pretrial Services requested that no action be taken.

Since that time, the defendant continues to exhibit non-compliant behavior. The defendant had previously tested positive for marijuana on 11/8/07, 11/16/07 and 12/11/07. As a result of her positive drug tests, Pretrial Services inadvertently referred the defendant for outpatient drug treatment (drug treatment was not ordered by U.S. Magistrate Judge Kevin Nathaniel Fox). The defendant proved negative for all substances tested since 12/11/07 until she submitted a positive drug test on 3/20/08 for marijuana. Pretrial Services spoke with defense counsel, Jennifer Collier to inquire if she would consent to modifying the defendant's bail conditions to include drug treatment.

Ms. Collier advised that she would not take a position on that issue and that she will leave that matter up to the defendant. Pretrial Services met with the defendant on 4/2/08 and she advised that she would be amenable to drug treatment. Pretrial Services contacted Assistant U.S. Attorney David Massey regarding that issue and he advised that he would consent to the Court modifying the defendant's bail conditions to include drug treatment.

In addition to the defendant testing positive for marijuana, she has not been reporting to Pretrial Services as directed. Pretrial Services and defense counsel, Jennifer Collier have spoken to the defendant regarding her inconsistent reporting and re-emphasized the importance of reporting to Pretrial Services as directed.

Pretrial Services conducted a criminal record check for this defendant and it revealed no new arrests.

Respectfully presenting petition for action of the Court and for cause as follows:

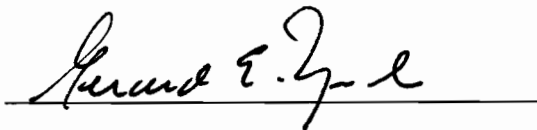
That the Court modify the defendant's bail conditions to include the condition of drug treatment. The defendant continues to test positive for marijuana and we believe that she is in need of drug treatment. If the defendant continues to report to Pretrial Services on an inconsistent basis, we will advise the Court and will recommend further action be taken at that time.

**PRAYING THAT THE COURT WILL ORDER THAT THE DEFENDANT'S  
BAIL CONDITIONS BE MODIFIED TO INCLUDE DRUG TREATMENT.**

ORDER OF COURT

Respectfully submitted,

Considered and ordered this 9th  
day of April, 20 08 and  
ordered filed and made a part of the  
records in the above case.



Honorable Gerard E. Lynch  
U.S. District Judge



Jason G. Lerman  
U.S. Pretrial Services Officer

Place: New York, N.Y.

Date: April 7, 2008